

LAWS

Laws are defined for the purposes of this section as written instructions with ostensibly general application and obligatory force. Thus excluded are specific orders or judgements for particular cases, persons or communities (like guilds), and such prescriptive texts, however mandatory in tone, as ELFRIC'S PASTORAL LETTERS or WULFSTAN'S HOMILIES or INSTITUTES OF POLITY (see ELFRIC, WULFSTAN). But it must be understood at the outset that this subject is much complicated by the existence of texts which are couched as if they were laws, but which may never have been officially sanctioned by any authoritative body, and which may therefore derive the impression that they give of obligatory force not from formal enactment but simply from the strength of an individual's convictions. This is a particular problem with the legal writings of WULFSTAN. He did draft laws that were formally issued by king and council, but he also rewrote these texts on his own initiative; see Jost (1950, pp. 13-44) and Wormald (1978, pp. 51-60). Some codes apparently compiled on his own rather than any more general authority struck Liebermann as having a sufficiently legislative tone to warrant inclusion in his Gesetze (vol. I, 380-5, 444-73, 477-9; see Bethurum, 1950). Others had to await separate publication (see CANONS OF EDGAR below). Others still, while saying very much the same thing, remain confined to the pages of Napier's Sammlung der ihm zugeschriebenen Homilien (1883), because Bethurum did not think them literary enough to merit a presence in her standard edition of the Homilies (1957). In the interests of economy, this section is restricted to those of Wulfstan's writings that do feature in Gesetze, plus CANONS OF EDGAR (otherwise perhaps at risk of total exclusion from this volume); for further discussion of the whole

issue, see the special section under ÆTHELRED ENHAM (I) below, and Wormald ('Wulfstan', forthcoming). Similar problems arise with much other ecclesiastical legislation, English, 'insular' and continental. Thus, the 'EXCEPTIONES EGBERTI' were certainly treated as authoritative by ELFRIC, WULFSTAN and others; but in essence this is a canon law collection with no sign of any official impetus behind it beyond what Wulfstan could lend in his own archiepiscopal capacity. In Ireland, there is some reason to think that the COLLECTIO CANONUM HIBERNENSIS had official status, but there seems no way of knowing if the same applies to the several texts labelled 'CANONES HIBERNENSES'. In Francia one need only contemplate the mighty bulk of the 'Forged Decretals' to heave a sigh of relief at the consensus that they remained unknown to the Anglo-Saxons (though see CAPITULA ANGRILANNI below). Nonetheless, this section does seek to cover all legal sources, whatever the nature or degree of authority behind them, excepting only those more appropriately addressed by the sections on ELFRIC, LITURGY, PENITENTIALS, REGULARIS CONCORDIA and WULFSTAN.

The section comes in two parts: English and extraneous. English is to be taken to mean laws issued or compiled as a collection within the bounds of Anglo-Saxon England as conventionally understood. Extraneous denotes all the rest. There can be no formal distinction between secular and ecclesiastical law. It was a critical feature of Anglo-Saxon culture, as of its Carolingian and ultimately Israelite models, that the laws 'of God and the world' (to use a favourite WULFSTAN phrase) imposed a unitary perspective on society; see Wormald, Making of English Law (forthcoming), chapters 5, 6, 8. All the same, an artificial classification along these lines is made unavoidable by the simple fact that Liebermann collected one

body of texts as (mostly secular) 'Gesetze', and left a whole series of (very largely ecclesiastical) others in the relatively unedited and under-researched state where quite a number have remained ever since. The first set of English laws below, down to EPISCOPUS, is therefore that edited in Gesetze, and is immediately followed by a text that Liebermann would surely have included had he known about it; they are also listed in Liebermann's order, although many of his datings have been superseded (not least by the discovery of Wulfstan's contribution). Next comes a roughly chronological sequence of the Ecclesiastical Documents in Haddan and Stubbs (1871) III (to CHURCH 816), and in Whitelock, Brett and Brooke (1981) I (to BISHOP'S SYMOC). Last of all are the texts still consigned to Thorpe (1840), whose order is again observed with the same proviso as for Gesetze. Extraneous texts appear in the alphabetical order of their most familiar designation. It must be stressed that the study of both canon law and of the influence of continental sources is still in (often retarded) infancy. Proposals in this area are inevitably sketchier than what can be offered for the texts covered by Liebermann.

As is immediately evident in what follows, many Anglo-Saxon laws do not survive in MSS from before 1100, and some are preserved only by the early-twelfth-century collection of legal texts in Latin translation known as 'Quadripartitus'. Twelfth-century collections are included among listed MSS, because it goes without saying that even late MSS are evidence that laws were known before 1066; but for 'Quadripartitus' MSS, see Wormald (1994). Quotations of one law by others are often accepted without further comment from Liebermann's marginal notes, Gesetze I, and commentary, Gesetze III, but there are also some (silent) corrections and deletions.

# LAWS: ENGLISH

## Laws of Æthelberht (LawAbt).

MSS Textus Roffensis: NRK 373:1.

Lists -- A-S Vers none.

Quots/Cits LawGr18, (B14.51) section 7: LawAbt sections 1, 4.

Refs 1. BEDA.Hist.eccl. 150.10-17.

2. LawAfEl (B14.4.3) section 49.9.

It is a significant comment on the sources for Anglo-Saxon law that Bede's reference to Æthelberht's code constitutes the sole mention of an extant law-code by a non-legal source in the entire Old English period (though see EDGAR ANDOVER CODE, EDGAR 'WINTBORDESSTAN CODE below). Alfred's acknowledged debt to Æthelberht's code is nowhere verbal. It seems that his influence lay mainly in prompting Alfred's issue of decrees on particular topics not covered by Ine: for example, his tariff of compensations for injury, LawAf 1 (B14.4.4) sections 44 - 77, cf. LawAbt sections 33 - 72:1 (though cf. also LEX SALICA below); or his laws on the king's borh/wund, LawAf 1 section 3, cf. LawAbt section 8; and on offences against women, LawAf 1 sections 10 - 11:5, 18:1-3, 25 - 25:1, cf. LawAbt sections 10 - 11, 14, 16, 31, 82, 85 etc. See further LAWS OF ALFRED AND INE, CAPITULARY 786 below.

Laws of Blothere and Eadric (LawHl).

MSS Textus Roffensis: NRK 373:2.

Lists -- A-S Vers none.

Quots/Cits none.

Refs none.

Laws of Wihtrud (LawWiFrol, LawWi).

MSS Textus Roffensis: NRK 373:3.

Lists -- A-S Vers none.

Quots/Cits 1. LawGrif (B14.51), sections 6, 8: LawWi (B14.3.2), section 2.

2. LawICh (B14.30.2), section 45:1: LawWi, section 11.

3. LawICh, section 55: LawWi, section 4.

Refs none.

There is an unquestionable connection between LawWi, section 27, and LawIne (B14.4.5), section 20; but since this is the last item in LawWi, whereas

the LawIne equivalent is incorporated amidst other pertinent material, the borrowing seems more likely to be from Ine to Wihtrud than vice versa: Gesetze III, p. 30.

Laws of Alfred and Ine (LawAfRb, LawInRb, LawAfEL, LawAfI, LawIne); see also ALFRED.

MSS 1. Cambridge, Corpus Christi College 173: BG 52; NRK 39:2.

2. London, BL Cotton MS Otho B xi: BG 357; NRK 180:6.

3. London, BL Cotton MS Nero A 1: BG 340; NRK 163:4, 7.

4. London, BL Burney MS 277: BG 307; NRK 136.

5. Cambridge, Corpus Christi College 383: BG 102; NRK 65:1.

6. Textus Roffensis: NRK 373:6.

7. 'Quadrupartitus'.

Lists -- A-S Vers none.

Quots/Cits 1. LawIIAs (B14.9), section 4: LawAf I (B14.4.4), section 4:2.

2. LawIIEm (B14.14.2), section 6: LawIne (B14.4.5), section 6.

3. ? LawIII Eg (B14.17), section 4: LawAf 1, section 32.
4. Whom 13 (B2.3.1): 68-9: LawAf 1, section 1.
5. LawVI Atr (B14.23), section 22:2 = ANON.Law.VI.Atr., section 28 = LawVI Atr (B14.24), section 28 = CNUX OXFORD CODE, section 18 = LawICn (B14.30.1), section 19:1: LawAf 1, section 1.
6. LawNorthleod (B14.47), sections 7 - 8: LawIne, section 32.
7. Whom 20.1-3 (B2.4.2.A-C):125/172/196 = WPol 2.1.2 (B13.2.1.2), sections 1 126 = WPol 2.1.1 (B13.2.1.1), section 11 232: LawAf 1, section 1.
8. HowU 23 (B3.4.23) 120:13-14: LawIne, section 2.
9. LawGr18 (B14.51), sections 9 -10: LawIne, sections 6 - 6:1.
10. LawGr18, section 11: LawAf 1, section 3.
11. LawGr18, section 12: LawAf 1, section 15.
12. LawVIII Atr (B14.26), section 11:1: LawIne, section 4.
13. LawII Cn (B14.30.2), section 47: LawAf 1, sections 5:5, 40:1.
14. LawII Cn, sections 58 - 58:2, LawAf 1, section 3.

15. LawICn, section 59: LawAf 1, section 7; LawIne, section 6.
  16. LawICn, sections 76 - 76:1a: LawIne, section 57.
- Refs 1. LawIEw (B14.7.1), section Prol.
2. LawIEw (B14.7.2), section 5: LawAf 1, section 1.
  3. LawIEw, section 5:2: LawIne (or LawIneRb (B14.4.2)), section 30.
  4. LawII As, section 5: LawAf 1, section 6.
  5. LawIEg (B14.16), section 3: LawIne, section 4.
  6. LawIEg, section 5: LawIne, section 3.
- Though not always fully preserved, the law-book of Alfred took consistently the same form in all vernacular versions: combined rubrics of Alfred's and Ine's laws, Alfred's Mosaic preface, Alfred's own laws, Ine's laws; only in one version of 'Quadripartitus' are the rubric-list and Mosaic preface dropped, and Ine's code placed first. Ine's laws therefore have no known transmission independently of Alfred's, and the Alfred-Ine combination should be (and here is) regarded as a single 'source'. A related point is that Ine's laws were among the main inspiration of Alfred's (as he says), and it has seemed superfluous to highlight the many detailed linkages. One useful illustration of the problem is that Liebermann took Refs no. 3 above as a reference to LawIne, hence as a sign that the two codes were already

conjoined, but Lawaf 1, section 4, could well be what Edward had in mind. In general, it should be noted that, though the extent of its manuscript distribution shows that Alfred's 'domboc' (as it is regularly called) remained the fundamental written law of the early English kingdom, quotations and references are relatively scarce: a possible reflection of the fact that Alfred ushered in a period of rapid legal change with a self-consciously traditional legislative statement. But this pattern changes with the legal writings of WULFSTAN, who rightly detected and repeatedly stressed the seminal importance of Lawaf 1, section on 'aē 7 wed'. (For the provisional order in which works of Wulfstan are cited here and below, see ÆTHELRED ENHAM CODE (I).)

Treaty of Alfred and Guthrum (LawGu).

MSS 1. Cambridge, Corpus Christi College 383: HG 102; NRK 65:6, 17.

2. 'Quadripartitus'.

Lists - A-S Vers none.

Quots/Cits ? LawIEw (B14.7.1), section 1: LawGu (B14.5), section 1.

Refs ? LawIEw (B14.7.2), section 5:2.

The two versions of this text in MS 1 have significant differences, the second of which is the one more closely corresponding to 'Quadripartitus'.

Peace of Edward and Guthrum (LawGuProl, LawEGu); see also WULFSTAN.

MSS 1. Cambridge, Corpus Christi College 383: HG 102; NRK 65:7.

2. Textus Roffensis: NRK 373:13.

3. 'Quadripartitus'.

Lists - A-S Vers none.

Quots/Cits 1. LawVatr (B14.23), section Prol. = LawVIatr (B14.24), section Prol.: LawEGuProl (B14.6.1), section Prol.

2. LawVatr, sections 1, 34 = LawXatr (B14.28.2), section 1 = LawIXatr (B14.27), section Expl. = WPol 2.1.2 (B13.2.1.2), section I 116 = WPol 2.1.1 (B13.2.1.1), section II 235: LawEGuProl, section 1.

3. LawVatr, section 12:2 = LawVIatr, section 21:1 = CNUT OXFORD CODE, section 14 = LawICn (B14.30.1), section 14: LawEGu (B14.6.2), section 5:1.

4. LawVatr, section 18 = ANON.Law.VI.Atr., section 25 = LawVIatr, section 25 = NonU 22 (B3.4.22) 117:14-15 = CNUT OXFORD CODE, section 15 = LawICn, section 17: LawEGu, section 9.

5. LawVatr, section 31:1 = ANON.Law.VI.Atr., section 38 = LawVIatr, section 38 = LawICn (B14.30.2), section 48:3: LawEGu, section 6:7.

6. ANON.Law.VI.Atr., section 7 = LawVIATR, section 7 = HomU 49 (B3.4.49)  
 309:21-6 = CNUX OXFORD CODE, section 7 = LawIICn, section 4a: LawEGu,  
 section 11.
7. ANON.Law.VI.Atr., section 14 = LawVIATR, section 14 = WPol 2.1.2.,  
 section I 100 = LawGriB (B14.51), section 2 = HomU 40 (B3.4.40) 266:11-12  
 = CNUX OXFORD CODE, section 2:2 = LawIICn, section 2:2 = WPol 2.1.1.,  
 section II 205: LawEGu (B14.6.2), section 1.
8. ANON.Law.VII.Atr., section 2:4 = LawVIIaAtr (B14.25), section 3:  
LawEGu, section 8.
9. LawEd (B14.50), section 11 = LawGriB, section 24 = LawVIIIAtr (B14.26),  
 sections 15, 36: LawEGuProl, section 2.
10. LawVIIIAtr, sections 33 - 35 = LawIICn, sections 40 - 40:2: LawEGu,  
 section 12.
11. LawIICn, sections 43 - 44: LawEGu, sections 4:2 - 5.
12. LawIICn, section 45: LawEGu, section 9:1.
13. LawIICn, sections 45:1 - 46: LawEGu, sections 7:1 - 8.
14. LawIICn, sections 48 - 48:3: LawEGu, sections 6:4-7.

15. LawNorthu (B14.32) section 8: LawEGu, section 3:2 (see also CANONS OF  
 EDGAR).
16. LawNorthu section 11: LawEGu section 3:1.

Refs none.

As Whitelock showed (1941), this text is in fact one of the 'unofficial'  
 codes of WULFSTAN. For the problems that therefore arise in determining  
 the respects in which it may be regarded as a source of other texts, and  
 for a putative order for relevant Wulfstan writings, see ATHELRED ENHAM  
CODE (I) below.

Laws of Edward (LawIEw, LawIIEw).

MSS 1. Cambridge, Corpus Christi College 383: BG 102; NRK 65:11-12.

2. Textus Roffensis: NRK 373:15.

3. 'Quadripartitus'.

Lists -- A-S Vers none.

Quots/Cits 1. LawIIAs (B14.9), sections 13:1, 12: LawIEw (B14.7.1),  
 section 1.

2. LawIIAs, section 20:5: LawIIEw (B14.7.2), sections 3:1-2.
3. LawIIAs, sections 22 - 22:1: LawIIEw, section 7.
4. ? ANON.Law.III.Ea., section 1: LawIIEw 1:1
5. ? ANON.Law.III.Ea., section 3: LawIIEw, section 7.
6. ? ANON.Law.III.Ea., section 6: LawIIEw, section 4.
7. LawIIu (B14.15), sections 1, 7: LawIIEw, section 8.
8. LawIIIEg (B14.17), section 1:1 = ANON.Law.VI.Atr., section 8:1 = LawVIAtr (B14.24), section 8:1 = LawIICn (B14.30.2), section 1:1: LawIIEw, section 8.

Refs 1. ? LawIICn, section 15a QMS G): LawIIEw 5:2 (see also LAWS OF ALFRED AND THE Refs. no. 3).

The two codes of Edward the Elder, though not apparently a deliberate conjunction like EDGAR ANDOVER or LAWS OF CNUT, are preserved as a pair in all surviving MSS (including 'Quadripartitus'). With reference to Quots/Cits 1. above, it should be noted that sections 13-18 of LawIIAs seem to constitute a 'code within a code', and one probably to be dated earlier than the main body of the Grately decrees.

Ethelstan. Tithe ordinance (LawIAs).

MSS 1. London, BL Cotton MS Nero A 1: BG 341; NRK 164:4.

2. Cambridge, Corpus Christi College 201: BG 65; NRK 49:28.

3. 'Quadripartitus'.

Lists -- A-S Vers. none.

Quots/Cits 1. LawIIIEg (B14.16) sections 2:2-3: LawIAs (B14.8) section 4.

2. LawIIIEg (B14.16) section 5:2: LawIAs (B14.8) section 4.

Refs ANON.Law.III.As., section 1.

The profuse legislation of Ethelstan constitutes an interlocking series of repeated or revised decrees where it is often difficult (and unnecessary) to establish precise relationships; thus, only a sample of citations and references from one Ethelstan 'code' to others are given here and below. These apart, there may be a reference to the provisions of LawIAs, section 4 in Ch 509 (Birch 816) (B15.8.192), a Glastonbury charter of Edmund I (946), where a third denial of 'munus ecclesiasticum et opus ecclesiasticum et munus rogificum' is to result in forfeiture of the granted property. With reference to Quots/Cits 1-2 above, see EDGAR ANDOVER CODE below.

Ethelstan, Charity ordinance (ANON.Law.As.Alm.).

MSS 'Quadripartitus' only.

Lists — A-S Vers none.

Quots/Cits none.

Refs none.

This text is one of those that survives only in the 'Quadripartitus' translation, though leaving little doubt that it was originally issued in the vernacular (see also below, ÆTHELSTAN KENTISH SHIRE-COURT LETTER, ÆTHELSTAN THUNDERSFIELD CODE, EDMUND COLYTON CODE, 'ÆTHELRED FOURTH CODE'). As with ÆTHELSTAN TITHE ORDINANCE (perhaps more probably), there may be an echo of ANON.Law.As.Alm. in Ch. 418 (Birch 692) (B15.8.128) and Ch 379 (Birch 635) (B15.8.129) — both in fact charters of Ethelstan — where royal grants are made conditional on charitable acts such as those the text prescribed; see Keynes (Atlas, forthcoming), table XXVII.

Ethelstan, Grately code (LawIIAs).

MSS 1. London, BL Cotton MS Otho B xi: HG 357; NRK 180:4.

2. Cambridge, Corpus Christi College 383: HG 102; NRK 65:8.

3. Textus Roffensis: NRK 373:9.

4. 'Quadripartitus'.

5. Lost MS transcribed by Laurence Nowell: see Torkar (1981), pp. 84-100).

Lists — A-S Vers none.

Quots/Cits

Refs 1. LawVAsProl (B14.10.1), section Prol.

2. ANON.Law.III.As., section 2.

3. ANON.Law.IV.Atr., section 2: LawIIAs, section 24:1.

4. LawVAs (B14.12), section Prol.

5. LawVAs, section 1:4: LawIIAs, section 1:2.

6. LawVAs, section 10: LawIIAs, sections 12, 24:1.

7. LawVAs, section 12:1: LawIIAs, section 1:3.

Torkar has shown (as above) that Nowell corrected and expanded his transcript of this text, London, BL Add. MS 43703, with reference to a MS



which also contained ÆTHELSTAN EXETER and IUDEx, and which has disappeared since the sixteenth century.

On repeated echoes of this code, the most substantial and significant of the Æthelstan series, see ÆTHELSTAN TITBE ORDINANCE above.

Æthelstan, Exeter code (LawVAsProl, LawVAs).

MSS 1. Textus Roffensis: NRX 373:10.

2. 'Quadripartitus'.

3. Lost MS transcribed by Laurence Nowell: see Torkar (1981), pp. 84-100).

Lists — A-S Vers: none.

Quots/Cits

Refs 1. ANON.Law.IV.As., section 1.

2. LawVIAs (B14.12), section Prol.

3. LawVIAs, section 1:4: LawVAsProl (B14.10.1), section 3.

4. LawVIAs, section 10.

As against Ker, Torkar shows (see ÆTHELSTAN GRATELY) that this code was not in London, BL Cotton MS Otho B xi, but was copied by Nowell into London, BL Add. MS 43703 from a now-lost MS.

As with ÆTHELSTAN CHARITY ORDINANCE, there may be echoes of LawVAs, section 3, in Ch 419 (Birch 691) (B15.8.129), Ch 422-3 (Birch, 695-6) (B15.8.130-1), which make the king's grant conditional on the singing of psalms for his soul; see Keynes (Atlas, forthcoming), table XXVII.

Æthelstan, Kentish Shire-court letter (ANON.Law.III.As.).

MSS 'Quadripartitus' only.

Lists — A-S Vers: none.

Quots/Cits

Refs 1. ANON.Law.IV.Atr., section 1.

2. LawVIAs (B14.12), section 10.

Æthelstan, Thundersfield code (LawIVAs); (ANON.Law.IV.As.).

MSS 1. Textus Roffensis: NRX 373:10.

2. 'Quadripartitus'.

Lists -- A-S Vers none.

Quots/Cits

Refs 1. LawVIAs (B14.12), section Prol.

2. LawVIAs, section 1:4: LawIVAs, sections 3, 6.

3. LawVIAs, section 10.

This text exists in two distinct versions.

Athelstan, London code (LawVIAs).

MSS 1. Textus Roffensis: NRK 373:27.

2. 'Quadrupartitus'.

Lists -- A-S Vers none.

Quots/Cits

Refs

Edmund, London synod (LawIEm).

MSS 1. London, BL Cotton MS Nero A 1: HG 341; NRK 164:5.

2. Cambridge, Corpus Christi College 201: HG 65; NRK 49:44.

3. Cambridge, Corpus Christi College 383: HG 102; NRK 65:14.

4. Textus Roffensis: NRK 373:17.

5. 'Quadrupartitus'.

Lists -- A-S Vers none.

Quots/Cits

Refs

Edmund, code on bloodfeud (LawIEmProl, LawIEm).

MSS 1. Cambridge, Corpus Christi College 383: HG 102; NRK 65:15.

2. Textus Roffensis: NRK 373:18.

3. 'Quadrupartitus'.

Lists -- A-S Vers none.

Quots/CitsRefs

Edmund. Colyton code (ANON.Law.IIIEm.).

MSS 'Quadrupartitus' only.

Lists -- A-S Vers none.

Quots/CitsRefs

Hundred ordinance (Lawfu).

MSS 1. Cambridge, Corpus Christi College 383: BG 102; NRK 65:4.

2. 'Quadrupartitus'.

Lists -- A-S Vers none.

Quots/CitsRefs

Though originally printed by Liebermann (and his predecessors) as a law of Edgar, this text could just as well be a decree of Eadwig, his brother, Eadred, his uncle, or even (though citing him by name) his father, Edmund I (see Whitelock (1979), p. 429), so ought to be given the above 'anonymous' title, for all that it has all the marks of official legislation.

Edgar. Andover code (LawIIEg, LawIIIEg).

MSS 1. London, BL Harley MS 55: BG 412; NRK 225:2.

2. London, BL Cotton MS Nero A 1: BG 341; NRK 164:6.

3. Cambridge, Corpus Christi College 201: BG 65; NRK 49:22-3.

4. London, BL Cotton MS Nero A 1: BG 340; NRK 163:3.

5. 'Quadrupartitus'.

Lists -- A-S Vers none.

Quots/Cits 1. WCan 1.1.1-2 (B13.1.1.1-2) section 54 = LawVAtr (B14.23), section 11:1 = ANON.Law.VI.Atr., sections 16 - 18 = LawVIAtr (B14.24), sections 16 - 18 = HomU 50 (B3.4.50) 310:27 - 311:2 = LawVIIIAtr (B14.26), sections 9 - 10 = HomU 22 (B3.4.22) 116:1-4 = CNUT OXFORD CODE, sections 13:1-4 = LawICn (B14.30.1), sections 8:1, 9: LawIIEg (B14.16) section 2:3.

2. LawVatr, section 12 - 12:1 = ANON.Law.VI.Atr., section 20 = LawVIATR, sections 20-1 = ROMU 50 311:11-12 = LawVIIIATR, section 13 = CHUT OXFORD CODE, sections 13:6-7 = LawICn, sections 13 - 13:1: LawIIEg, section 5:2.

3. LawVatr, section 17 = ANON.Law.VI.Atr., section 24 = LawVIATR, section 24 = ROMU 22 117:13-14 = CHUT OXFORD CODE, section 14:7 = LawICn, section 16a: LawIIEg (B14.16) section 5:1.

4. LawVIIIATR, sections 7-8: LawIEg, section 3:1.

Refs LawVIIIATR. (B14.26) sections 7-8.

Edgar's Andover legislation is a code in two ecclesiastical and secular halves, like that of Cnut, for which it was indeed the model. It is possible that Edgar was consciously following the Carolingian example of capitularies divided into ecclesiastical and secular portions, reflected as it was in the arrangement of ANSEGISUS CAPITULARY COLLECTION. Of all Anglo-Saxon legislation, II-III Edgar is the most frequently quoted in the laws of later kings, because of its importance to Archbishop WULFSTAN. Edgar's laws were among Wulfstan's seminal inspirations, and were quoted by him repeatedly in texts of all types. But, with reference to Quots/Cits a. - c. above, it should be borne in mind that the relevant Edgar laws occur only in MSS to which Wulfstan had access. They may therefore be interpolations, reflecting convictions that were first voiced by Wulfstan in (e.g.) WCan.1.1.1.1, rather than sources of any other text; see ÆTHELRED ENHAM, CANONS OF EDGAR.

Edgar, 'Whitbordesstan' code (LawIVEg).

MSS 1. London, BL Cotton MS Nero E 1: RG 345; NRK 166.

2. Cambridge, Corpus Christi College 265 (x 2): RG73; NRK 53:b.

Lists -- A-S Vers none.

Quots/Cits

Refs

Æthelred, Woodstock code (LawIATR).

MSS 1. Cambridge, Corpus Christi College 383: RG 102; NRK 65:5.

2. Textus Roffensis: NRK 373:19.

3. 'Quadripartitus'.

Lists -- A-S Vers none.

Quots/Cits

Refs

Ethelred, treaty with the viking army (LawIIAtr).

MSS 1. Cambridge, Corpus Christi College 383: RG 102; NRK 65:22.

2. 'Quadrupartitus'.

Lists — A-S Vers none.

Quots/Cits

Refs

Ethelred, Wantage code (LawIIIAtr).

MSS 1. Textus Roffensis: NRK 373:21.

2. 'Quadrupartitus'.

Lists — A-S Vers none.

Quots/Cits

LawNorthu (B14.32) section 67:1; LawIII Atr (B14.22) section 3.

Refs

'Ethelred, fourth code' (ANON.Law.IVatr.).

MSS 'Quadrupartitus' only.

Lists — A-S Vers none.

Quots/Cits

Refs

Ethelred, Eborac code (I) (LawVAtr); see also ERMAN (II), (III), (IV), WULFSTAN.

MSS 1. London, BL Cotton MS Nero A 1 (x 2): RG 341; NRK 164:7, 22.

2. Cambridge, Corpus Christi College 201: RG 65; NRK 49:24.

Lists — A-S Vers none.

Quots/Cits

LawNorthu (B14.32) sections 47, 67; LawVAtr (B14.23) section 34.

Refs

This is the earliest dated law-code of whose authorship by WULFSTAN we can be confident. Wulfstan was a notorious re-user of his own works, and this is as true of his laws as of everything else he wrote. This is therefore the right place for a general statement about which of the archbishop's prescriptive writings should be regarded as sources for which others, and why: in other words, for a provisional combined chronology of his formally legal and quasi-legal or exhortatory writings. The first thing that needs to be said is that this is extremely difficult to establish. Wulfstan was given to obsessive recapitulation of the same themes in much the same treasured words, leaving little to indicate the priority of any one formulation. The piecemeal revision revealed by his own handwriting in 'Wulfstan MSS' (Ker, 1971; Loyn, 1971, pp. 31-2) means that different parts of the same work may actually have different dates. We cannot even be sure of the dates attached to royal laws: the text of LawVIatr (B14.23) as it now stands could very well in parts post-date the generally later LawVIatr (B14.24), and even LawVIIIatr (B14.26); see Wormald (1978), pp. 53-5. Above all, the very close similarity in style and content of Wulfstan's homiletic and legislative modes is one of the most important things about him. But their chronological relationship can be obscured by the fact that 'covering all the angles' mattered more in what ostensibly required formal obedience than in what was aimed at general encouragement; whereas rhetorical elaboration might seem better suited to the latter than the former. Nonetheless, in working out the rough chronological framework underlying the 'sourcing' proposed throughout the rest of this section, the chief consideration has been that Wulfstan, like most preachers, greatly preferred expanding his material to abridging it; and it seems

particularly unlikely that texts prescribing a wider range of duties or penalties predate those of narrower scope.

The issue of 'God's dues' (i.e. the Church's taxes) recurs in enough of Wulfstan's codes, homilies and semi-homiletic tracts to make it a good pointer not merely to the place of the Enham decrees in the succession of his output, but also towards the overall sequence of his expositions. His least substantial pronouncements on this theme are in his 'Pastoral Letter' (WHom 13, B2.3.1, 70-6), in the first version of the CANONS OF EDGAR (WCan 1.1.1, B13.1.1.1, section 54), and in the 'PEACE OF EDWARD AND GUTHRUM' (LawEGu, B14.6.2, sections 5:1 - 6:4). Each includes tithes, plough-alms and 'Rome money', but not 'soul-scot', while 'light-scot' is missing from CANONS OF EDGAR (though present in its revised text), and 'church-scot' from 'EDWARD AND GUTHRUM'. The Enham decrees, however, give a complete set of dues, except that church-scot is not in ENHAM (1). Church-scot had been obligatory since INE (LawINE, B14.4.5, section 4), and the archbishop may have been taking it for granted; but light-scot and soul-scot are another matter (though see EDGAR ANDOVER CODE above). Their 'staged' emergence implies that CANONS OF EDGAR pre-dates the rest, and that all are earlier than Enham; Bethurum's argument (1957, p. 341) that 'it is far more credible that the careful statement of ecclesiastical dues was made first by the Witan [i.e. at Enham] than that Wulfstan issued [his Pastoral Letter] first' involves the improbability that he omitted from his letter the soul-scot made compulsory by his own draftsmanship. ENHAM cannot, then, be seen as source of any of these texts; similarities of wording allow that CANONS OF EDGAR and 'EDWARD AND GUTHRUM', but not WHom 13, may be sources of ENHAM. ANON.Law.VII.Atr., section 4, a Latin

version of the Old English *ÆTHELRED BATH CODE* apparently issued in 1009, goes no further than *CANONS OF EDGAR*, and the Old English text itself lacks any such provision. *ÆTHELRED CODE OF 1014* (*LawVIIIatr*, B14.26), sections 6 - 12:1, however, represents significant new departures: tithe is allocated to three distinct sets of beneficiaries, in accordance with one set of continental norms (see *CAPITULARY 'AD SALZ'* under 'Extraneous sources' below); and the penalties laid down by Edgar for non-payment of each church due are also specified, above all as regards tithe itself, in an otherwise extremely rare instance of explicit citation of another code complete with appropriate reference (see *EDGAR ANDOVER CODE* above). Since these elements seem very much more likely to have been added by Wulfstan than omitted by him once introduced, *ÆTHELRED CODE OF 1014* can indeed safely be seen as marking a later stage than any surviving version of the *ENHAM* decrees. *CNUT OXFORD CODE* (probably of 1018, see below) is unusual as regards church dues in reflecting the position registered in *ENHAM* (I) rather than that of *ENHAM* (IID), as its normal tendency (see below). But *LAWS OF CNUT* (*LawICn*, B14.30.1), sections 8-14, clearly represents the culmination of the whole tradition: in effect, the prescriptions of *ENHAM* (III) are combined with those of *ÆTHELRED CODE OF 1014*, with inclusion of further measures of Edgar's on the churches properly entitled to tithe-payments (see *EDGAR ANDOVER CODE*), and with such extra refinements as fines paid to the local bishop for default in 'Rome-money'. Again, it seems inconceivable that the pattern laid out in *LAWS OF CNUT* could precede what is found in the other texts. Turning back to Wulfstan texts that can be considered merely 'pseudo-legislative', there is nothing pertinent to this issue in any recension of *INSTITUTES OF POLITY*, and the relevant 'homilies' are those restricted to Napier's *Sammlung* rather than

Bethurum's edition (1957): *HomU22* (B3.4.22), *HomU40* (B3.4.40) and *HomU50* (B3.4.50). On church-taxation evidence (if not necessarily other, see below), *HomU40* 272:6-12 is the earliest in this sequence, omitting light-scot or soul-scot as in probably pre-*Enham* texts, but explicitly citing Edgar's penalties, as in *ÆTHELRED CODE OF 1014*. *HomU50* 310:21 - 311:12 is very close to *ÆTHELRED* 1014, and might indeed to be considered based upon it, except that it contains Edgar's provision that Rome-money defaulters should take it to Rome in person (see *EDGAR ANDOVER CODE* above), then amended in what is Wulfstan's own hand (Keynes (1986), pp. 94-5), to anticipate the milder 'sille' of *ÆTHELRED* 1014, section 10:1; the 'Homily' is more explicitly optimistic than *ÆTHELRED* 1014, section 12:1 on the three occasions in the year for payment of light-scot, and closest to *LAWS OF CNUT*, section 12, which, on the line of argument usually deployed here, would suggest that the homiletic text post-dates, and could be derived from, the legal - except that *ÆTHELRED* 1014 is in fact boundlessly optimistic ('do oðfor se ða wille'), hence vaguer than *HomU50* but not necessarily less demanding: as legislator in 1014, the archbishop could have settled for open-ended commitment as the most realistic policy, before moving on to his more confidently strident demands under *Cnut*. *HomU22* 116:1 - 117:3 would look even earlier than *HomU40* in omitting any reference to penalties, except that its stipulations on thrice-yearly light-scot are effectively those of *Cnut* and the revised (*Junius MS*) *CANONS OF EDGAR*. In this instance, as in the others, there is no reason to suppose that law was 'source' of homily rather than *vice versa*. See below on the *LAWS OF CNUT* themselves for further reasons why these should very probably be seen as the conclusion of Wulfstan's oeuvre. (But it ought to be added that if the revised (*Junius*) *INSTITUTES OF POLITY* (*WPol*

2.1.1 (B13.2.1.1) + WPol 2.2.1 (B13.2.2.1) etc.) were not assembled until after the archbishop's death, they could well contain items written after the Cnut code as well as others from earlier stages of his career.

Proscription of heathen observances was of course another abiding Wulfstancian concern. The position with legislation on heathen cult proper needs to be distinguished from the archbishop's 'sinners' lists' where pagan practices are only one ingredient. So far as concerns actual pagan belief and practice, CANONS OF EDGAR, section 16, reflects the content of the PENITENTIALS OF PSEUDO-ECGBERT and PSEUDO-THEODORE, while LAWS OF CNUT (LawICn, B14.30.2), section 5:1, draws on WHom 12 (B2.2.10) 16-24, hence EHOM 22 (B1.4.22) (or possibly their ultimate source in Martin of Braga); there is no reason to suppose that CANONS OF EDGAR was really the source (in this or any other respect, *pace* Jost, 1932, pp. 303-4) of WHom 8c (B2.2.5): 165-6, let alone that LAWS OF CNUT preceded WHom 12. On the other hand, it is almost impossible to work out a chronology for Wulfstan's habitual lists of notorious sinners/criminals, which, as Whitelock says (1963, p. 64), he probably re-wrote from memory, and there is therefore little point in propositions about mutual 'sourcing'. But in so far as the lists in WHom 20:3 (B2.4.2.C) 161-5 (etc.), Hom 40 266:25-9, and Hom 49 (B3.4.49) 309:28 - 310:6 are surely later than those of ADSO and WHom 10a (B2.2.7) 11-14, WHom 7 (B2.2.2) 128-32, WHom 8c 160-4 and WHom 13 93-5 (see Bethurum (1957), pp. 309-10), the earlier group (especially WHom 13) may be associated with 'EDWARD AND GUTHRUM' (LawEGu), section 11, CANONS OF EDGAR (WCan 1.1.1), section 16, or ENHAM (III) (LawVIATr), section 7, and the later with CNUT OXFORD CODE, sections 7-10, AND LAWS OF CNUT (LawICn, sections 4a, 4:2, 6 - 7; while CNUT 1020

LETTER PROCLAMATION (LawCn 1020), section 15, is, as Whitelock says (1881, p. 440, n. 1), probably linked with the great 1014 'Sermo Lupi' itself. None of these cases offers any real reason to suppose that the relevant law was 'source' of the related homily; but to the extent that 'EDWARD AND GUTHRUM' and ENHAM (III) certainly pre-date the elaborated lists of the later homilies, they might be thought to be in some sense their 'source', as they obviously are of the later 'codes' as such.

A third Wulfstancian obsession, the privilege and protection the clergy, may throw light on some other texts. The position in ENHAM (I) - (III) is more or less as in 'EDWARD AND GUTHRUM', section 1 (and also in Hom 41 (B3.4.41) 275:10-11, an 'address to the Witan' possibly connected with one of Ethelred's 'lost' codes: Jost (1950), pp. 104-9). Hom 40 266:10-12 also represents a relatively undeveloped position. AETHELRED CODE OF 1014 once again marks significant developments: sections 1 - 5:1 set out a tariff of penalties for infringements of sanctuary varying with the status of the church, and these are followed (sections 18 - 32) by legislation for the protection of the clergy, which was only in part affected by what had been decreed at ENHAM. CNUT OXFORD CODE, sections 2 - 2:2, go no further than Enham, but LawICn, sections 2 - 7:3 once more combine the contents of ENHAM and 1014 to produce a comprehensive overall statement. WPol 2.1.1-2 (B13.2.1-2), sections I 100-2, II 205-6, seem to reflect the transitional position of CNUT OXFORD CODE; the main LAWS OF CNUT in fact appear to combine the texts of POLITY and LawGr 1a (B14.51), sections 1-2, 31:1. LawGr 1a, section 24, in turn seems to post-date LawHed (B14.50), section 11 (another Wulfstan text: Bethurum (1950)), while presumably preceding LawVIIATr, in that section 1:1 of the latter is described by



LawGr12, section 13, as 'North English law' rather than anything more official. At the same time, LAWS OF CNUT, sections 26 - 26:4, combines texts from LawGr12, sections 19:1 - 20 (also in WHom 17 (B2.3.5) 36-41, a homily perhaps datable to either 1014 or 1020) with WHom 16b (B2.3.4) 27-36. The implication of all this would be that LAWS OF CNUT once more conclude a sequence of texts datable between late in Æthelred's reign and near the end of Wulfstan's own life.

A conclusion of some overall importance is that, while one would certainly have expected law to have inspired homiletic expostulation, and though there is no reason in principle to deny that in some cases it did, this is usually in fact quite difficult to demonstrate; and there is, by contrast, often some reason to think that a homiletic or quasi-legal passage preceded its enacted equivalent. This needs to be borne in mind when consulting the derivations from legal texts proposed for Wulfstancic (and 'pseudo-Wulfstancic') homilies (and the like) by Jost (e.g. 1950, pp. 249-61) or Bethurum (e.g. 1957, pp. 36-9).

So far as the various recensions of the legislation apparently issued at King's Enham in 1008 are concerned, the problem is among the most oft-debated in Anglo-Saxon studies; for bibliographical guidance, and qualification of the otherwise widely accepted solution of Sisam (1953, pp. 278-87), see Wormald (1978), pp. 49-58. It may be in general be taken that (II) and (III) represent further stages than (I) - they do, for instance, contrive to include church-scut, even if they mysteriously omit the feast of the king's martyred brother, Edward, made obligatory by LawVatr, section 16. ENHAM (II) follows the order of ENHAM (III), itself

fuller than ENHAM (I) as regards the range of topics covered and the verbiage devoted to covering them, and with an overall tendency to stand closer to the unquestionably later and elaborated statements of Wulfstan's position in CNUT OXFORD CODE and LAWS OF CNUT. Liebermann's characterization of (I) as source of (II) and (III) is thus substantially valid, and may be accepted, without further identification of specific links, for present purposes. But see also below, ENHAM (II), (III), (IV).

Æthelred, Enham code (II) [ANON.Law.VIatr.]; see also ENHAM (I), (III), (IV), WULFSTAN.

MS London, BL Cotton MS Claudius A 111: BG 314; NRK 141:b.

Lists none.

A-S Vers see ENHAM (III).

Quots/Cits

Refs

The Latin code designated by Liebermann VI Atr (L) or 'Latein paraphrase' is conventionally seen as an elaboration of ENHAM (I) (LawVatr, B14.23), as discussed above, and as in turn the source of ENHAM (III) (LawVatr, B14.24). This is surely correct in principle, and it would be superfluous to list the debts of ENHAM (II) to ENHAM (I) in detail. However, while

the order of material is much the same in ENHAM (II) as in ENHAM (III), its length corresponds more closely to ENHAM (I), and many items found in ENHAM (III) are omitted. Two important further points are that ENHAM (II) often seems to be making direct use of the Latin sources behind ENHAM (I): Jost (1950), pp. 21-8; and that there is some evidence in the manuscript that the text of ENHAM (III) was written a while after that of ENHAM (II): Wormald, Making of English Law (forthcoming), chapter 4. It may therefore be best to see ANON.Law.VI.Atr. as having the same sort of relation to LawVIatr as the Latin 'homilies' printed by Bethurum (1957) in connection with their Old English equivalents, texts that were certainly re-worked and re-used by Wulfstan more than once. ENHAM (II), sections ProL. - 1, 40:2, contain the fullest account of the King's Enham proceedings, and seem to describe how they were inaugurated by an archiepiscopal sermon - perhaps very like HomV 22 (B3.4.23), HomV 40-41 (B3.4.40-1), or HomV 48-50 (B3.4.59-61): cf. Jost (1950), pp. 104-9. This homiletic address could then have been reformulated as part of the process that eventually gave rise to ENHAM (III): see Lawson (1992a).

Ethelred. Enham code (III) (LawVIatr); see also ENHAM (I), (II), (IV), WULFSTAN.

MSS London, BL Cotton MS Claudius A 111: RG 314; NRK 141:b.

Lists — A-S Vers none.

Quots/Cits 1.. LawNorthu (B14.32) section 20-2: LawVIatr (B14.24) sections 15-15:1.

2. LawNorthu 46, 66: LawVIatr section 50.

3. LawNorthu 61:1: LawVIatr section 12.

#### Refs

For the derivation of ENHAM (III) (LawVIatr, B14.24) from ENHAM (II), and in some sense from ENHAM (I), see above. There seems little doubt that it was this form of the Enham laws that exercised most influence on materials drafted by Wulfstan subsequently, which is why this 'code' rather than the others is generally identified above as the operative 'source'.

Ethelred. Enham code (IV) (LawXatrProL, LawXatr); see also ENHAM (I), (II), (III), WULFSTAN.

MSS Rome, Vatican City MS Reg. Lat. 946: RG 917; NRK 392.

Lists — A-S Vers none.

#### Quots/Cits

#### Refs

For the suggestion that this fragmentary text was not in fact the distinct code envisaged by Liebermann, but the nearest to an 'official' version of the Enham decrees (ENHAM (I) - (III)), see Wormald (1978), pp. 52-3; but see also Whitelock, Brett and Brooke (1981), p. 340, n. 2.

Ethelred, Bath code (I) (ANON.Law.VII.Atr.); see also WULFSTAN.

MSS 'Quadrupartitus'.

Lists none.

A-S Vers see ETHELRED BATH CODE (I)

Quots/Cits

Refs

As an exception to the general pattern of relationships between 'laws' and 'homilies' proposed under ENHAM (I) above, there seems little doubt that the Wulfstan homilies HowV 29.1-2 (B3.4.29.2-3) were based on the laws now surviving only in Quadrupartitus Latin: Jost (1950), pp. 211-16.

Ethelred, Bath code (II) (LawVIIaAtr); see also WULFSTAN.

MSS Cambridge, Corpus Christi College 201: HG 65; NRK 49:16.

Lists -- A-S Vers none.

Quots/Cits

Refs

Though printed by Liebermann as a vernacular version of the code otherwise surviving only as BATH (I), this text might well be seen in the same terms as HowV 29.1-2 (B3.4.29.2-3), and was indeed treated as such by Napier: HowV 31 (B3.4.31); see Jost (as above), and Wormald (1978), pp. 58-9.

Ethelred, code of 1014 (LawVIIIaTr); see also WULFSTAN.

MSS 1. London, BL Cotton MS Nero A 1: HG 341; NRK 164:9.

2. Cambridge, Corpus Christi College 201: HG 65; NRK 49:43.

Lists -- A-S Vers none.

Quots/Cits LawNorthu (B14.32) section 19: LawVIIIaTr (B14.26) sections 4ff (see also LANS OF CHUT).

Refs

Ethelred, 'ninth' code (LawIXaTr); see also WULFSTAN.

MSS (London, BL Cotton MS Otho A x (destroyed)): HG 349; NRK 170

Lists -- A-S Vers none.

Quots/Cits

Refs

Cmt. Oxford code 1; see also WULFSTAN.

MSS Cambridge, Corpus Christi College 201: HG 65; NRK 49:51.

Lists -- A-S Vers none

Refs

1020 letter proclamation of Cmt (LawCn 1020); see also WULFSTAN.

MSS York Add. MS 1: HG 774; NRK 402:G.

Lists -- A-S Vers none.

Quots/Cits

Refs

Since this letter was almost certainly not written in England but sent there from Denmark (Whitelock, Brett and Brooke, 1981, I, p. 435), there can be no question of its composition by Wulfstan.

1027 letter proclamation of Cmt

MSS -- A-S Vers none

Quots/Cits

Refs

Laws of Cmt (LawICn, LawIICn); see also WULFSTAN.

MSS 1. London, BL Cotton MS Nero A 1: HG 340; NRK 163:1-2.

2. Cambridge, Corpus Christi College 383: HG 102; NRK 65:9-10.

3. London, BL Harley MS 55: NRK 226.

4. 'Quadrupartitus'.

Lists -- A-S Vers none.

Quots/Cits 1.. LawNorthu (B14.32) section 19: LawICn (B14.30.1) sections 3f (see also ÆTHELRED CODE OF 1014).

2. LawNorthu section 23: LawICn (B14.30.2) 42.
3. LawNorthu section 45: LawICn section 5:3.
4. LawNorthu section 48: LawICn section 5:1.
5. LawNorthu section 55: LawICn section 15.
6. LawNorthu sections 61 - 61:1: LawICn sections 7, 7:3 (see also ÆTHELSTAN ENHAM (III)).
7. LawNorthu section 67:1: LawICn 81.

#### Refs

Cnut's great code was issued at Christmas in a year that must either have been 1020 or 1021: the king was in Scandinavia in the winters of 1019/20 and 1022/3 (Lawson 1992, pp. 89-95), and his 1020 LETTER PROCLAMATION, which does refer to his OXFORD CODE of 1018, makes no explicit reference to any subsequent decrees. It follows that LawI-ICn are much more likely to draw on other Wulfstan writings than to be their source; and the code does indeed give a strong impression of gathering together the ideas for the regulation of a Christian society that the archbishop had developed over the years in legislation both 'official' and 'private', in the INSTITUTES OF POLITY and in homiletic or quasi-homiletic expositions. For the purposes of this section, therefore, LawI-ICn is regarded as a source only of NORTHUMBRIAN PRIESTS' LAW, almost certainly the work of one of

Wulfstan's successors at York, but not as 'source' of any of the other works nowadays ascribed to the archbishop (entering a proviso as regards the 'revised' INSTITUTES OF POLITY already registered under ENHAM (I) above). The echoes of Cnut's laws detected by Liebermann in GEBYWCPO, HADBOT and GRIP could just as well be reversed, and probably should be: in drafting Cnut's laws, Wulfstan was giving official voice to a series of values and concepts previously articulated on his own exclusive initiative.

#### Dunsæte (LawDuns).

MSS 1. Cambridge, Corpus Christi College 383: HG 102; NRK 65:23.

2. 'Quadrupartitus'.

Lists -- A-5 Vers none.

#### Quots/Cits

#### Refs

Northumbrian priests' law (LawNorthu).

MSS Cambridge, Corpus Christi College 201: HG 65; NRK 49:21.

Lists -- A-S Vers none.

Quots/Cits see CANONS OF EDGAR.

Refs

Despite the authority of Professor Whitelock (Whitelock, Brett and Brooke, 1981, I, pp. 450-1), it is difficult to accept that this code is one of WULFSTAN'S. It certainly bears traces of his influence, notably through the CANONS OF EDGAR, but these echoes are in the end too incidental and irregular for the code as a whole to be his work. In particular, there is little evidence of Wulfstan's stylistic traits in chapters not dependent on his other works. The overall formulation of the code is significantly different from that of the PEACE OF EDWARD AND GUTHRUM and the CANONS OF EDGAR, codes with otherwise similar subject matter that assuredly can be ascribed to him. There is a striking contrast between the code's qualified acceptance of clerical marriage (LawForthu, B14.32, section 35) and the hostility to it that Wulfstan never otherwise failed to display. Nothing excludes the case that this text was drawn up by one of Wulfstan's successors, mainly on the basis of materials composed and assembled by him; and it is that conclusion which dictates the relationship between it and other texts indicated throughout this section.

Ordeal (LawOrdal).

MSS 1. Textus Roffensis: NRK 373:7.

2. 'Quadripartitus'.

Lists -- A-S Vers none.

Quots/Cits

Refs

Pleasores (LawPles).

MSS 1. Cambridge, Corpus Christi College 383: HG 102; NRK 65:2.

2. Textus Roffensis: NRK 373:6.

3. 'Quadripartitus'.

Lists -- A-S Vers none.

Quots/Cits

Refs

Forfang (LawForfB, LawForfH).

MSS 1. Cambridge, Corpus Christi College 383: HG 102; NRK 65:3.

2. Textus Roffensis: NRK 373:6.

3. 'Quadrupartitus'.

Lists — A-S Vers none.

Quots/Cits

Refs

For (LawFor).

MSS 1. Textus Roffensis: NRK 373:11.

2. 'Quadrupartitus'.

Lists — A-S Vers none.

Quots/Cits

Refs

Walreaf (LawWal).

MSS 1. Textus Roffensis: NRK 373:8.

2. 'Quadrupartitus'.

Lists — A-S Vers none.

Quots/Cits

Refs

Wergeld (LawWer).

MSS 1. Cambridge, Corpus Christi College 383: HG 102; NRK 65:19.

2. Textus Roffensis: NRK 373:14.

3. 'Quadrupartitus'.

Lists — A-S Vers none.

Quots/Cits

Refs

Swerien (LawSwer).

MSS 1. Cambridge, Corpus Christi College 383: HG 102; NRK 65:16.

2. Textus Roffensis: NRK 373:12.

3. 'Quadripartitus'.

Lists -- A-S Vers none.

Quots/Cits

Refs

Hit decumā (LawSecumā).

MSS 1. Cambridge, Corpus Christi College 383: HG 102; NRK 65:21.

2. Textus Roffensis: NRK 373:32.

Lists -- A-S Vers none.

Quots/Cits

Refs

Wifmannes bewedding (LawWif).

MSS 1. Cambridge, Corpus Christi College 383: HG 102; NRK 65:18.

2. Textus Roffensis: NRK 373:30.

3. 'Quadripartitus'.

Lists -- A-S Vers none.

Quots/Cits

Refs

Rectitudines singularum personarum (LawRect); see also WOLFSTAN.

MSS 1. Cambridge, Corpus Christi College 383: HG 102; NRK 65:24.

2. 'Quadripartitus'.

Lists -- A-S Vers none.

Quots/Cits

Refs

Gerefa (LawGer).

MSS Cambridge, Corpus Christi College 383: HG 102; NRK 65:25.



Lists — A-S Vers none.

Quots/Cits

Refs

Geyncio (LawGeyncio); see also WOLFSTAN.

MSS 1. Cambridge, Corpus Christi College 201: BG 66; NRK 49:46a).

2. Textus Roffensis: NRK 373:28.

3. 'Quadrupartitus'.

Lists — A-S Vers none.

Quots/Cits

Refs

Worleoda laga (LawWorleod); see also WOLFSTAN.

MSS 1. Cambridge, Corpus Christi College 201: BG 65; NRK 49:46b).

2. Textus Roffensis: NRK 373:29.

3. 'Quadrupartitus'.

Lists — A-S Vers none.

Quots/Cits

Refs

Mircna laga (LawMircne); see also WOLFSTAN.

MSS 1. Cambridge, Corpus Christi College 201: BG 65; NRK 49:46c).

2. Cambridge, Corpus Christi College 190: BG 59; NRK 45:14.

3. Textus Roffensis: NRK 373:12.

4. 'Quadrupartitus'.

Lists — A-S Vers none.

Quots/Cits

Refs

AA (LawAA); see also WOLFSTAN.

MSS 1. Cambridge, Corpus Christi College 201: BG 65; NRK 49:46d),e).

2. Cambridge, Corpus Christi College 190: BG 59; NRK 45:15,16.

3. Textus Roffensis: NRK 373:12.

4. 'Quadripartitus'.

Lists — A-S Vers none.

Quots/Cits

Refs

Hadrot (LawHad); see also WOLFSTAN.

MSS 1. Cambridge, Corpus Christi College 201: BG 65; NRK 49:46e).

2. Cambridge, Corpus Christi College 190: BG 59; NRK 45:16.

3. Textus Roffensis: NRK 373:4.

4. 'Quadripartitus'.

Lists — A-S Vers none.

Quots/Cits

Refs

Gr18 (LawGr18); see also WOLFSTAN.

MSS London, BL Cotton MS Nero A 1: BG 341; NRK 164:8.

Lists — A-S Vers none.

Quots/Cits Be sacerdan.

Refs

Northymbra cyricgr13 (LawNorgri13); see also WOLFSTAN.

MSS London, BL Cotton MS Nero A 1: BG 341; NRK 164:10.

Lists — A-S Vers none.

Quots/Cits

Refs

Romescot (LawRomescot).

MSS London, BL Cotton MS Nero A 1: BG 340; NRK 163:5.

Lists — A-S Vers none.

Quots/Cits

Refs

Index (Lawindex); see also ALCUIN, ISIDORE.

MSS 1. London, BL Cotton MS Nero A 1: BG 340; NRK 163:6.

2. 'Quadrupartitus'.

3. Lost MS transcribed by Laurence Nowell: see Torker (1981), pp. 84-100).

Lists — A-S Vers none.

Quots/Cits

Refs

Torker has shown (see ÆTHELSTAN GRATELY, EXETER) that Nowell's copy of this code, London, BL Add. MS 43703, came not from London, BL Cotton MS Otho B.xi but from a MS that has been lost since the sixteenth century.

Episcopus (LawEpisc); see also WOLFSTAN

MSS 1. Oxford, Bodl. MS Junius 121: BG 644; NRK 338:1(VII).

2. 'Quadrupartitus'.

Lists — A-S Vers none.

Quots/Cits

Refs

Ymb abricas (LawF)

MSS see below

Lists — A-S Vers none.

Quots/Cits

Refs

This is the only secular legal text discovered since Liebermann's edition; it was copied by Laurence Nowell from the now-burnt London, BL Cotton MS Otho B xi, and was published by Robin Flower only when Nowell's transcript became London, BL Add. MS 43703 (Flower, 1937). The 'law' is couched as an answer to a question, and finds an echo (one way or another) in LawEGu (B14.6.2) section 4.

Council of Clovesho, 747 [ANON.Conc.Clov.747].

MSS London, BL Cotton Otho A i: HG 346; CLA 2.188.

Lists — A-S Vers none.

#### Quots/Cits

#### Refs

These acta are now known only from Spelman's edition (1639) I, pp. 245-55, because the Otho MS was almost largely destroyed in the Cotton fire.

Dialogue of Ecgberht [ECGBERT.Dial.1].

MSS London, BL Cotton MS Vitellius A xii: HG 398.

Lists — A-S Vers none.

#### Quots/Cits

#### Refs

Capitulary, 786 [ANON.Cap.786.1].

MSS none.

Lists — A-S Vers none.

Quots/Cits: 1. ODA.Const. 70.9-12: Cap.786 23.23-25.

2. ODA.Const. 70.13: Cap.786 23.38.

3. ODA.Const: 70.14-17: Cap.786 23.46-8.

4. ODA.Const. 71.4-6: Cap.786 22.18-19.

5. ODA.Const. 71.6-12: Cap.786 21.29-32,35-6.

6. ODA.Const. 71.12-16: Cap.786 23.18-24.

7. ODA.Const. 71.23-72.1: Cap.786 22.14-15.

8. ODA.Const. 72.6-8: Cap.786 22.29-32.

8. ODA.Const. 72.14-15: Cap.786 22.30-1.

9. ODA.Const. 72.17-19: Cap.786 25.11-13.

10. ODA.Const. 73.10-15: Cap.786 25.5-10.

11. ODA.Const. 74.5-13: Cap.786 25.37-26.1.

Refs see below.

The evidence that the 'capitulare' issued after Northumbrian and southern councils in 786 by the papal legates, Bishop George of Ostia and Bishop Theophylact of Todi, remained known in Anglo-Saxon England comes not from the surviving MS (Wolfenbüttel, Herzogsbibliothek MS Helmstadensis 454, s xi in., probably from Hildesheim), but from its quotation by CONSTITUTIONS OF ODA (as above), and from possible echoes in *Laws* (B14.8) section 3 (though see COLLECTIO CANONUM HIRSEMENSIS below), and REGULARIS CONCORDIA (see Symons, 1953, p. 6). For the possibility that this was the 'law-code of Offa' (i.e. a 'senoðboc .... on ... daga ... Offan Mercna cyninges') to which Alfred acknowledged a debt (*Laws* (B14.4.3) section 49:8-9), and which may have influenced (for example) his own laws on nuns (*Laws* 1 sections 8 - 8:3), see Wormald (1991). These, by the same token, would then also be the 'mores bonos et modestos et castos' that King Offa 'instituted', according to Alcuin (who accompanied the legates), ALCUIN.Epist. 122 (ed. Dümmler, 1895, 180.8-9); cf. ALCUIN.Epist. 16 (43.27), 18 (52.30-2) and 123 (181.4-12). But see also Cubitt's discussion (forthcoming).

Council of Clovesho, 803 [ANON.Conc.Clov.803].

MSS 1. Canterbury, D. & C. Red Book 4 (C 195).

2. London, Lambeth MS 1212.

Lists — A-S Vers none.

Quots/Cits

Refs

Council of Chelsea, 816 [ANON.Conc.Chel.].

MSS London, BL Cotton MS Vespasian A xiv.

Lists — A-S Vers none.

Quots/Cits

Refs

Constitutions of Archbishop Oda [ODA.Const.].

MSS London, BL Cotton MS Vespasian A xiv.

Lists - A-S Vers none.

Quots/Cits

Refs

ed. Schoebe (1962), as well as Whitelock, Brett & Brooke (1981) III, pp.  
67-74.

Canons of Edgar (WCan 1-1:2); see also WOLFSTAN.

MS 1. Cambridge, Corpus Christi College 201: HG 65; NRK 49:45.

2. Oxford, Bodl. MS Junius 121: HG 644; NRK 338:5.

3. Cambridge, UL Add. MS 3206: HG 30; NRK 11.

4. Brussels, Bibl. Roy. MS 6558-63 (2498): HG 808; NRK 10:3 (see  
below).

5. Cambridge UL MS 11.1.33: NRK 18:42.

Lists -- A-S Vers none.

Quots/Cits 1. LawVatr (B14.23), section 11:1 = ANON.Law.VI.Atr., sections  
16 - 18 = LawVIatr (B14.24), sections 16 - 18 = HomU 50 (B3.4.50) 310:27 -

311:2 = LawVIIIatr (B14.26), sections 9 - 10 = HomU 22 (B3.4.22) 116:1-4 =  
CNUX OXFORD CODE, sections 13:1-4 = LawICn (B14.30.1), sections 8:1, 9:  
WCan 1.1.1-2 (B13.1.1.1-2) section 54.

2. LawVatr, section 13:1 = ANON.Law.VI.Atr., section 22:1 = LawVIatr,  
section 22:1 = LawVIIIatr, section 17 = CNUX OXFORD CODE, section 14:1 =  
LawICn, sections 15 - 15:1: WCan 1.1.1-2, section 19.

3. LawVatr, section 18 = ANON.Law.VI.Atr., section 25 = LawVIatr, section  
25 = HomU 22 117:14-15 = CNUX OXFORD CODE, section 15 = LawICn, section 17:  
WCan 1.1.1-2, section 24.

4. LawVatr, section 19 = ANON.Law.VI.Atr., section 25:1 = LawVIatr, section  
25:1 = HomU 22 118:1-3 = CNUX OXFORD CODE, section 15:1 = LawICn, section  
17:2: WCan 1.1.1-2, section 23.

5. LawVIatr, section 44 = HomU 48 (B3.4.48) 308:32-3 = CNUX OXFORD CODE,  
section 31 = LawICn, section 15:1.

6. WPol 2.1.1-2 (B13.2.1.1-2), sections I 92, II 197: WCan 1.1.1-2,  
section 25.

7. LawNorthu (B14.32) sections 15-18: WCan 1.1.1-2, sections 41, 39, 38,  
37.

8. LawNorthu, sections 25-6: WCan 1.1.1-2, sections 26-7.

9. LawNorthu, section 28: WCan 1.1.1-2, section 8.

10. LawNorthu, section 36: WCan 1.1.1-2, section 45.

11. LawNorthu, section 41: WCan 1.1.1-2, sections 57-8.

Refs none.

Similarity of wording, along with a high probability of its priority, make it likely that the WCan 1.1.1-2 were a source of ÆTHELRED ENHAM CODE and all that thereby follows: see ÆTHELRED ENHAM (I). See also EDGAR ANDOVER CODE for the possibility that Wulfstan's MSS of that text were interpolated along the same lines, so that the Canons standing in Edgar's name are at least as likely as his actual legislation to be the source of the Enham decrees. In addition to the influence of this text on the NORTHUMBRIAN PRIESTS' LAW indicated above, the short text in the Brussels MS (no. 4), which is in part derived from WCan 1.1.1-2, sections 2, 12-13 and WCan 1.1.2, section 68b, is a further direct influence on LawNorthu, sections 8, 25; see NRK as above, and Whitelock, Brett & Brooke (1981) I, pp. 313 (n. 4), 451.

Bishop's Synod, early 11th (ConR).

MSS 1. Paris, Bibl. Nat. MS Lat. 943: HG 879; NRK 364:b

2. London, BL Cotton MS Titus D xxvii: HG 380; NRK 202:d.

Lists -- A-S Vers none.

Quots/Cits

Refs

'Excerptiones Egberti' [ANON.Exc.Egbert].

MSS 1. London, BL Cotton MS Nero A 1: HG 341; NRK 164:30.

2. Cambridge, Corpus Christi College 265: HG 73; NRK 53.

3. Rouen, Bibl. Mun. 1382 (U 109): HG 925.

4. Cambridge, Corpus Christi College 190: HG 59; NRK 45.

5. Oxford, Bodl. MS Junius 121: HG 644; NRK 338.

6. Oxford, Bodl. MS Barlow 37.

Lists -- A-S Vers none.

Quots/Cits

Refs

The Excerptiones Eggherti was the major canon collection of the later Old English church. But it must be understood at once that it is fluid, indeed Protean, in the shape it assumes in its various manuscripts. This is one reason why it has not, on the whole, had the attention it deserves; see, however, Bateson (1895), Fehr (1914), pp. 000-000, Sauer (1978), pp. 59-66, and especially Aronstam (1974). The main reason for thinking that it is an English collection is that all MSS containing the bulk of the collection are English and none are continental. In addition, most of the contents can be shown to have been independently available in pre-conquest England.

Old English Theodulf (ThCap 1-2): see also THEODULF OF ORLEANS.

MSS 1. Cambridge, Corpus Christi College 201: BG 66; NRK 50:3.

2. Oxford, Bodl. MS Bodley 865: BG 608; NRK 318.

Lists -- A-S Vers none.

Quots/Cits

Refs

The MSS each provide a different text and translation of Theodulf's capitula, differently organized.

LANS: EXTRANEOUS

These sources, unlike the English, are ordered alphabetically by their assigned title, chronology being often impossible to establish, and editions anything but standard.

Admonitio Generalis, 789 [ANON.Cap.Admon.789].

MSS Cambridge, Corpus Christi College 265: BG 73; NRK 53.

Lists -- A-S Vers none.

Quots/Cits

Refs

This is not the whole of Charlemagne's epoch-making capitulary but chapters 61-82, those conveying its central message which follow the excerpts from the Dionysio-Hadriana.

Admonitio ad Omnes (823x5)

MSS

Lists -- A-S Vers



Quots/CitsRefsAnsegisus, Capitularium Collectio [ANSEGISUS.Cap.]

MSS Oxford, Bodl. MS Hatton 42: HG 629.

Lists - A-S Vers none.

Quots/CitsRefs

This consists only of Book I of Ansegisus capitulary collection of 827, but in a form which incorporated a number of chapters from Book II.

Breviarium Alarici [ANON.Breu.Alaric.].

MSS -- Refs none

Canones Adomnani [ANON.Can.Adomn.]; CPL 1792.

MSS 1. Oxford, Bodl. MS Hatton 42: HG 629.

2. London, BL Cotton MS Otho E xiii: HG 361.

Lists - A-S Vers none.

Quots/CitsRefsCanones Hibernenses [ANON.Can.Hib.].

MSS 1. Cambridge, Corpus Christi College 279: HG 81.

2. Cambridge, Corpus Christi College 265: HG 73; WRK 53.

Lists - A-S Vers none.

Quots/CitsRefsCanones Wellici [ANON.Can.Well.].

MSS 1. Oxford, Bodl. MS Hatton 42: HG 629.

2. London, BL Cotton MS Otho E xiii: HG 361.

3. Cambridge, Corpus Christi College 265: HG 73; NRK 53.

Lists -- A-S Vers none.

Quots/Cits

Refs

Capitula Angrilamni (ANON.Cap.Angrii.)

MSS -- Refs none

The Capitula Angrilamni are the only part of the 'Forged Decretals' corpus that may have been known to the Anglo-Saxons -- and then only in small part and indirectly. The evidence consists of the persistence from Alfred's code, Lawf 1 (B14.4.4) section 34, onwards of the (notional?) penalty of loss of one's tongue for slander; see also LawIIIEg (B14.17) section 4, LawIICn (B14.?????) section ??????. But see also BREVIARIUM ALARICI. Hincmar??

Capitulary 'ed Salz' (803/4)

MSS

Lists -- A-S Vers

Quots/Cits

Refs

Capitulary of Boulogne (811)

MSS

Lists -- A-S Vers

Quots/Cits

Refs

Capitulary of Gherbald of Liège

MSS

Lists -- A-S Vers

Quots/Cits

Refs

Capitulary of Hatto of BaselMSSLists — A-S VersQuots/CitsRefs

Collectio Canonum Hibernensis [ANON.Col.Can.Hib.]; CPL 1794.

MSS 1. Oxford, Bodl. MS Hatton 42: HG 629.

2. Cambridge, Corpus Christi College 279: HG 81.

3. London, BL Cotton MS Otho E xiii: HG 361.

4. Cambridge, Corpus Christi College 265: HG 73; WRK 53.

Lists — A-S Vers none.

Quots/Cits ODA.Const.

Refs

This, the major Irish canon law collection, is in two main recensions, both of which were available to the Anglo-Saxons: recension A in MS 3, with extracts in MS 2, and recension B in MS 1, with extracts in MS 3.

Collectio D' Acheriana [ANON.Coll.D'Ach.].

MSS

Lists — A-S Vers none.

Quots/CitsRefs

Collectio Dionysio-Hadriana [ANON.Coll.can.Dion-Had.].

MSS Oxford, Bodl. MS Hatton 42: HG 629.

Lists — A-S Vers none.

Quots/CitsRefs

Collectio Quesnelliana [ANON.Coll.Quesn.]; CPL 1770.

MSS Arras, Bibliothèque Municipale 644 (752)

Lists Sawold: PL 8:21

A-S Vers -- Refs none.

Council of Aachen (816)

MSS

Lists -- A-S Vers

Quots/Cits

Refs

Concilium Rispescense

MSS

Lists -- A-S Vers none.

Quots/Cits

Refs

Council of Tribur (895)

MSS

Lists -- A-S Vers

Quots/Cits

Refs

Decretio of Childbert II (935); CPL 1824.

MSS

Lists -- A-S Vers

Quots/Cits

Refs

Epitome of Gaius [ANON.Epit.Gail].

MSS Oxford, Bodl. MS Hatton 42: HG 629.

Lists -- A-S Vers none.

Quots/Cits

Refs

Lex Salica [ANON.Lex.Salic.]: See TRIN. VERSION.

Pactus pro tenore pacis: CPL 1820.

MSS

Lists -- A-S Vers

Quots/Cits

Refs

Programmatic Capitulary, Capitulary of Missi (802/3)

MSS

Lists -- A-S Vers

Quots/Cits

Refs

Quadrupartites

MSS

Lists -- A-S Vers

Quots/Cits

Refs

This ninth-century Carolingian collection of largely penitential provisions must be distinguished from the twelfth-century assemblage of Old English laws in Latin translation known by the same title at least since Liebermann gave it its first serious attention (1892); see the introductory remarks to this section above.

Synod of Pavia (850)

MSS

Lists -- A-S Vers

Quots/Cits

Refs

Synod of St Patrick I [ANON.Syn.[Patrick].

MSS Cambridge, Corpus Christi College 279: HG 81.

Lists -- A-S Vers none.

Quots/Cits

Refs

Theodulf of Orleans, Capitula I [THEODULF.[Cap.]; see also OLD ENGLISH  
THEODULF.

MSS 1. Oxford, Bodl. MS Bodley 865: HG 608; NRK 318.

2. Cambridge, Corpus Christi College 265: HG 73; NRK 53

3. Cambridge, Corpus Christi College 201: HG 66; NRK 50:1.

4. Oxford, Bodl. MS Barlow 37.

Lists

A-S Vers ThCap 1-2 (B10.6.1-2): see above.

Quots/Cits

Refs

Theodulf of Orleans, Capitula II [THEODULF.IICap.1.

MSS 1. Cambridge, Corpus Christi College 265: HG 73; NRK 53

2. Oxford, Bodl. MS Barlow 37.

Lists -- A-S Vers none.

Quots/Cits

Refs

This is a shortened form of Theodulf's second set of capitula; since it is very much rarer than the first (existing only in ? MSS, Brommer (19??), p. 00), its availability to the Anglo-Saxons is noteworthy.

